

REMARKS

Claims 1-6 and 8-12 and 14 have been rejected under 35 U.S.C. §102(b) for being anticipated by Hartmann et al. The Examiner states that Hartmann et al. teaches an assembly including a component and at least one screw. Applicants agree that Hartmann et al. teaches such an assembly. The assembly taught utilizes individual bushes in order to allow for threads of each screw to be inserted in the respective bush thereby holding the screw in place so that an assembly is easily applied to a workpiece. The fasteners disclosed are screws having threads in all cases. There is no teaching in this reference regarding pin-type fasteners. Moreover, there is no teaching in the reference about the desirability of avoiding the scraping of a pin-type fastener fired into a workpiece from a powder driven setting tool. This is important because as applicants have discovered, powder driven fasteners having been coated with such as zinc coating or galvanization and then utilized to secure materials together degrade more rapidly than one might expect. Upon careful inspection of the process, applicants have discovered that powder driven fasteners, because of their rapid entry into a workpiece can be driven against an opening in a washer with sufficient force to deleteriously affect or even completely remove an anti-corrosive coating on the fastener. In such condition, the fastener will quickly degrade in a moist or otherwise corrosive environment. This is not an issue addressed by Hartmann et al. nor an issue that even exists in the context of the area in which Hartmann et al. was working. Further, the other prior art references of record are similarly not directed to addressing this problem.

The independent claims of the present application have now been amended to make more clear that which applicants believe to be their invention. Each of the limitations added to the claims distinguish Hartmann et al. in that there is no teaching in Hartmann et al. of those limitations. Because of the amendments to the claims and the remarks set forth hereinabove, it is believed the Examiner will see the distinction among the dependent claims as well. Therefore, applicants respectfully request withdrawal of the rejection under 35 U.S.C. §102 and allowance of the claims.

Claims 7 and 13 have been independently rejected under 35 U.S.C. §103(a) for being unpatentable over Hartmann et al. in view of Lenac et al. The claims identified by the Examiner are directed to the composition of the barrier having lubricious material at least at a portion thereof. In view of the comments over Hartmann et al. however, whether or not Lenac et al.

teaches lubricious material, the reference above is not sufficient to reject the claims. With the primary reference distinguished, the rejection is moot.

Applicants respectfully request reconsideration by the Examiner in view of the foregoing and in the event the Examiner has any queries regarding the instantly submitted amendment, Applicant's attorney respectfully requests the courtesy of a telephone conference to discuss any matters in need of attention.

In the event that there are any fees due with respect to this Response, Applicants' attorney respectfully requests that such fees be withdrawn from Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Keith J. Murphy
Registration No. 33,979
55 Griffin Road South
Bloomfield, CT 06002
Telephone: (860) 286-2929
Facsimile (860) 286-0115
Customer No. 23413

Date: March 22, 2005